

## **D4 RURAL ZONE RULES AND STANDARDS**

There are two maps covering the Rural Zone. These maps also indicate heritage features, Landscape Protection Areas and Seismic Hazard Areas within the Rural Zone.

The majority of rules and standards apply to the whole Rural Zone as outlined on the two maps.

Refer to Figure 4 for an explanation of how to determine whether an activity requires a resource consent and what type of activity it will be considered as, i.e. permitted, controlled, limited discretionary, discretionary or non-complying.

### **D4.1 Rural Zone Rules**

#### **D4.1.1 Permitted activities**

Any one or more of the following are permitted activities:

- (i) All primary production activities, excluding buildings, which do not contravene any permitted activity standard.
- (ii) Network utilities which exist at the time of notification of this plan.
- (iii) New network utilities on, above, or below a road, excluding lines for conveying electricity at a voltage above 110kV, or with a design capacity above 100MVA per circuit, provided that:
  - (a) where a structure is involved it has a floor area not exceeding 50m<sup>2</sup> and a height not exceeding 10 metres; and
  - (b) where a mast, aerial or pole or support structure is concerned, it does not exceed 10 metres in height or 2 metres in diameter.
- (iv) New network utilities outside roads that are located underground.
- (v) The operation and maintenance of all roads.
- (vi) Temporary Military Training Activities in compliance with Temporary Military Training Activities Standards.
- (vii) Use of existing school facilities, buildings and associated grounds and halls for activities or services having either a social, community, sporting, ceremonial, cultural, educational, recreational, worship, and spiritual purposes subject to compliance with the permitted activity standards for carparking, noise and signs.
- (viii) Alterations and additions to existing dwellings, where the alterations and additions do not contravene any permitted activity standard and do not increase the gross floor area by more than 10% in any 12 month period.
- (ix) Alterations and additions to existing buildings (other than dwellings) accessory to a permitted or controlled activity, where the alterations and additions do not contravene any permitted activity standard and do not increase the gross floor area by more than 10% in any 12 month period.

- (x) Except in a Landscape Protection Area, the harvesting of production forestry one hectare or less in area in any 12 month period.

The permitted activity standards apply only to those activities for which a direct reference is made to those standards.

#### D4.1.2 Controlled activities

Any one or more of the following are Controlled Activities:

- (i) Except in a Landscape Protection Area, one dwelling per certificate of title containing a minimum land area of 2000m<sup>2</sup> where the dwelling does not contravene any permitted activity standard.

The matters over which Council reserves control for the purpose of assessment are:

- (a) the location of the dwelling,
- (b) earthworks,
- (c) native vegetation clearance,
- (d) the imposition of financial contributions in accordance with Part E of this plan,

Note: Earthworks may also require consent under the Proposed Regional Soil Plan.

- (ii) Except in a Landscape Protection Area, buildings (other than dwellings) accessory to a permitted or controlled activity and which do not exceed any permitted activity standard.

The matters over which Council reserves control for the purpose of assessment are:

- (a) the location of the building,
- (b) earthworks,
- (c) native vegetation clearance.
- (d) the imposition of financial contributions in accordance with Part E of this plan,

Note: Earthworks may also require consent under the Proposed Regional Soil Plan.

- (iii) Harvesting of production forestry where the area being harvested exceeds 1 hectare in area in any 12 month period and, in Landscape Protection Areas, any harvesting of production forestry, regardless of the area.

The matters over which Council reserves control for the purpose of assessment are:

- (a) the method and time of year of the harvesting,
  - (b) the hours of operation of the harvesting,
  - (c) the location of access to the site,
  - (d) the imposition of financial contributions in accordance with Part E of this plan.
- (iv) New vehicle crossings onto roads in the Rural Zone (except state highways and limited access roads).

The matters over which Council reserves control for the purpose of assessment are:

- (a) the location of the crossing,
  - (b) the imposition of financial contributions in accordance with Part E of this plan.
- (v) New network utilities outside roads, excluding those constructed underground as a permitted activity, and excluding new masts over 10 metres in height.

The matters over which Council reserves control for the purpose of assessment are:

- (a) the location and route of the network utility,
  - (b) the imposition of financial contributions in accordance with Part E of this plan.
- (vi) The construction of new roads and the construction of diversions or alterations to the course of existing roads but excluding any such construction works which are part of a subdivision.

The matters over which Council reserves control for the purpose of assessment are:

- (a) the route of the road,
- (b) earthworks,
- (c) native vegetation clearance,
- (d) the imposition of financial contributions in accordance with Part E of this plan.

Note: Earthworks may also require consent under the Proposed Regional Soil Plan.

- (vii) Subdivisions of allotments where the following requirements are met:
- (a) the number of allotments will not be increased, and

- (b) no resultant allotment shall be reduced in area by more than 5% from the area of the existing allotment from which it is derived, and
- (c) the length of the road frontage of any allotment shall not be reduced by more than 5% from the existing allotment from which it is derived, and
- (d) the number of allotments with road frontage is not increased.

The matters over which Council reserves control for the purpose of assessment are:

- (a) earthworks,
- (b) native vegetation clearance.
- (c) the imposition of financial contributions in accordance with Part E of this plan,
- (d) the imposition of any conditions in accordance with s220 of the RMA.

Note: Earthworks may also require consent under the Proposed Regional Soil Plan.

- (viii) Subdivisions which result in all allotments being 40 hectares or more in area. The matters over which Council reserves control for the purpose of assessment are:
  - (a) earthworks,
  - (b) native vegetation clearance.
  - (c) the imposition of financial contributions in accordance with Part E of this plan.
  - (d) the imposition of any conditions in accordance with s220 of the RMA.

Note: Earthworks may also require consent under the Proposed Regional Soil Plan.

- (ix) Alterations and additions to existing dwellings and buildings (other than dwellings) accessory to a permitted or controlled activity which do not comply with the Permitted Activity Rule and which do not contravene any permitted activity standard.

The matters over which Council reserves control for the purpose of assessment are:

- (a) the location of the alteration or addition,
- (b) earthworks,
- (c) native vegetation clearance,

- (d) the imposition of financial contributions in accordance with Part E of this Plan.

Note: Earthworks may also require consent under the Proposed Regional Soil Plan.

- (x) Temporary Military Training Activities except in a Landscape Protection Area that do not comply with Temporary Military Training Activity Standards.

The matters over which Council reserves control for the purpose of assessment are:

- (a) Any restrictions on public access to recreational areas.
- (b) Likely land degradation by vehicles including tracked vehicles and the need for land reinstatement.
- (c) Impact upon: water courses and riparian margins, wetlands, historic sites, sites of significance to the tangata whenua, and native vegetation.
- (d) Number of personnel.
- (e) Duration of the consent.
- (f) Impact on rural roads, including points of access.

#### D4.1.3 Limited discretionary activities

Any one or more of the following are a limited discretionary activity:

- (i) Essential activities in the Seismic Hazard Area, where these activities meet all the permitted activity standards.

The Council restricts the exercise of its discretion to the following matters:

- (a) the appropriateness of the proposed activity on the site having regard to the potential of seismic hazard to disrupt that activity,
  - (b) the imposition of financial contributions in accordance with Part E of this plan.
- (ii) The alteration, demolition or removal of any Heritage Feature which is recorded in Section A or Section B of the Heritage Register and which is shown on the planning maps.

The Council restricts the extent of its discretion to the following matters:

- (a) the effect of the activity on the heritage values of the Feature,
- (b) the imposition of financial contributions in accordance with Part E of this plan.

Applications for a limited discretionary activity in relation to a Heritage Feature which is listed in section B of the Heritage Register shall be considered without the need to obtain the written approval of affected persons and without notification.

- (iii) Temporary Military Training Activities in a Landscape Protection Area that do not comply with Temporary Military Training Activity Standards.

The Council restricts the exercise of its discretion to the following matters:

- (a) Any restrictions on public access to recreational areas.
- (b) Likely land degradation by vehicles including tracked vehicles and the need for land reinstatement.
- (c) Impact upon: water courses and riparian margins, wetlands, historic sites, sites of significance to the tangata whenua, and native vegetation.
- (d) Number of personnel.
- (e) Duration of the consent.
- (f) Impact on rural roads, including points of access.

#### D4.1.4 Discretionary activities

Any one or more of the following are discretionary activities:

- (i) All activities which are not a permitted, controlled, limited discretionary, or prohibited activity, and are not specified in D4.1.5 (ii), (iii) or (v) as a non-complying activity.
- (ii) Subdivision where any of the resultant allotments are 5 hectares or more in area and less than 40 hectares.
- (iii) New buildings (including new dwellings) in a Landscape Protection Area.
- (iv) New vehicle crossings onto State Highway No 1 and State Highway No 58.

Note: Refer to Figure 6 in Part H of this Plan for the requirements relating to private access onto state highways.

- (v) Extractive industries.
- (vi) Service Stations.

Note: Council may require financial contributions as a condition of a resource consent in accordance with Part E of this plan.

#### D4.1.5 Non-complying activities

Any one or more of the following are non-complying activities:

- (i) All activities which are not a permitted, controlled, limited discretionary, discretionary activity, or prohibited activity.
- (ii) Activities which emit an objectionable odour.
- (iii) Offensive trades.
- (iv) Vehicle yards.
- (v) Any subdivision which would result in any allotment of less than 5Ha (except as provided for in Rule D4.1.2(vii)).

Note: Council may require financial contributions as a condition of a resource consent in accordance with Part E of this plan.

## **D4.2 Rural Zone Standards**

### **D4.2.1 Permitted activity standards**

#### Car parking

The number of car parks must be located on site. Every car park shall comply with the technical standards in Part H of this Plan.

Note: Where parking spaces standards for non-school activities cannot be provided to the Technical Standards in Part H of the Plan, parking is permitted on school grounds subject to practical access.

#### Earthworks

The following shall apply to earthworks on a site:

- (i) Earthworks, except earthworks as part of any dwelling or building shall not exceed, in a 12 month period:
  - (a) 25m<sup>2</sup> in area within a riparian setback, or
  - (b) 500m<sup>2</sup> in area in a Landscape Protection Area, or
  - (c) 1000m<sup>2</sup> in area elsewhere in the Rural Zone, or
  - (d) 0.5 metres in height or depth in a riparian setback and 1.5 metres in height or depth elsewhere.

(b) and (c) shall not apply to earthworks for the purposes of the maintenance of existing farm roads and tracks, or for the construction or maintenance of drains or fences.
- (ii) Earthworks as part of any dwelling or building on the site, except excavations for foundations which do not extend further than 2 metres beyond the exterior walls of any building when measured in plan view shall not exceed, in a 12 month period:
  - (a) 25m<sup>2</sup> in area within a riparian setback, or
  - (b) 100m<sup>2</sup> in area elsewhere in the Rural Zone, or

- (c) 0.5 metres in height or depth in a riparian setback and 1.5 metres in height or depth elsewhere.
- (iii) Earthworks shall not be undertaken on land with a slope in excess of 45 degrees; and
- (iv) Earthworks within a yard shall not exceed a height recession plane measured at an angle of 45 degrees from the closest boundary into the site.

Note: Earthworks may also require consent under the Proposed Regional Soil Plan.

#### Financial contributions

The payment of all financial contributions in respect of a permitted activity as provided for in Part E of this plan shall be made before the commencement of that activity.

#### Hazardous substances

No activity shall exceed a Hazardous Substance Threshold of 0.75.

#### Height

The maximum height of any building or part of a building (including any sign) on a site shall be: 10m. The maximum height of new masts (as a permitted activity) shall be 6 metres.

#### Height recession plane

All buildings must be within a building envelope of 3m height and a vertical angle of 45° into the site, measured from any point along the boundary of the site with an adjacent site.

#### Loading

All loading and unloading of goods shall take place within the site and clear of all yards.

#### Native Vegetation Clearance

There shall be no destruction of any native vegetation where:

- (a) the area of native vegetation exceeds 1 hectare with an average height of 3 metres or more, or
- (b) the area of native vegetation is part of an area in one or more sites, which exceeds 1 hectare with an average height of 3 metres or more.

The word “area” in (a) and (b) above refers to the existing area covered by native vegetation, (i.e. if it is the sum of the area of native vegetation which is proposed to be disturbed or removed, plus the balance area of native vegetation).



### Noise

(i) The maximum noise levels from any activity on a site located in the Rural Zone, measured at the Suburban Zone boundary or within 20m of any dwelling on another property shall not exceed the following levels:

(a)  $L_{10}$  55 dBA day time (7am-10pm),

$L_{10}$  45 dBA night (10pm-7am);

(b)  $L_{max}$  75 dBA night time (10pm – 7am.

(ii) The sound level from any activity on a Rural Zone site when measured at least 20 metres inside the boundary of any site in the Recreation or Public Open Space Zone shall not exceed the following limits:

$L_{10}$  60 dBA day time (7am – 10pm)

$L_{10}$  50 dBA night time (10 pm – 7am)

$L_{max}$  75 dBA night time (10pm – 7am)

All sound levels shall be measured in accordance with NZS 6801:1991 Acoustics – “Measurement of Sound”. Where NZS 6802:1991 does not include assessment of the type of noise in question, the appropriate New Zealand Standards may be used.

### Screening

All materials which are stored outside a building shall be screened from view from adjoining properties and any road. For the purpose of this standard materials includes wrecked or derelict vehicles and the ongoing storage of building materials or scrap metal.

### Signs

One sign per site provided it relates to the activities on the site and does not exceed 1 m<sup>2</sup> in total area; but excluding signs visible to drivers on a State Highway, and flashing signs.

Note: Refer to the height standard to determine the maximum permitted height of signs.

### Siting of Production Forestry

The last row of plantings shall be planted no closer than 10m to a site boundary, and no closer than 20m to any boundary where the site abuts the Suburban Zone.

### Temporary Military Training Activities Standards

(a) Noise from temporary military training activities shall not exceed the following limits when measured at, or within, any residentially zoned site, or the 20 metre notional boundary to any rural residence (or the legal boundary where this is closest to the residence):

7am to 10pm 75dBA L<sub>10</sub>

7am to 10pm 90dBAL<sub>max</sub>

10pm to 7am 45dBA L<sub>10</sub>

10pm to 7am 75dBA L<sub>max</sub>

Noise resulting from the use of explosives shall not exceed 122dBC “peak” time weighting. Measurements shall be in accordance with the provisions of NZS6801: 1991 Measurement of Sound.

- (b) There shall be no use of tracked or half-tracked vehicles.
- (c) Traffic movements generated on adjoining roads shall not exceed twenty movements per day. In order to comply with this standard the New Zealand Defence Force shall advise the Council not less than one week prior to the commencement date of the proposed military training activity the:
- Total number of vehicles to be used during the exercise;
  - Type of vehicles to be used during the exercise; and
  - The points of access onto adjoining roads.
- (d) Temporary Military Training Activities shall comply with all other relevant rural zone standards.

#### Yards

The minimum yards for a site shall be:

- (a) Front yard
- |                    |   |     |
|--------------------|---|-----|
| Minimum front yard | - | 5m. |
|--------------------|---|-----|
- (b) Riparian setback
- |                                          |  |     |
|------------------------------------------|--|-----|
| Minimum riparian setback for buildings - |  | 20m |
|------------------------------------------|--|-----|
- (c) Other yard
- |                    |   |     |
|--------------------|---|-----|
| Minimum other yard | - | 5m. |
|--------------------|---|-----|

#### D4.2.2 Discretionary activity standards

There are no discretionary activity standards in the Rural Zone.